

STATE OF SOUTH CAROLINA

(Caption of Case)

South Carolina Electric & Gas Company's Update of Construction Progress and Request for Updates and Revisions to Schedules Related to the Construction of a Nuclear Base Load Generation Facility at Jenkinsville, South Carolina

219096
BEFORE THE
PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA

COVER SHEET

DOCKET

NUMBER: 2009 - 293 - E

#1 11-4-09 10:30

(Please type or print)

Submitted by: Tom Clements
Address: Friends of the Earth
1112 Florence Street
Columbia, SC 292201

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NOTE: The cover sheet and information contained herein neither replaces nor supplements the filing and service of pleadings or other papers as required by law. This form is required for use by the Public Service Commission of South Carolina for the purpose of docketing and must be filled out completely.

DOCKETING INFORMATION (Check all that apply)

☐ Emergency Relief demanded in petition ☐ Request for item to be placed on Commission's Agenda expeditiously

☒ Other: Copy our lawyer on all docketed items: Bob Guild, 314 Pall Mall St., Columbia, SC 29201

INDUSTRY (Check one)	NATURE OF ACTION (Check all that apply)		
<input checked="" type="checkbox"/> Electric	<input type="checkbox"/> Affidavit	<input type="checkbox"/> Letter	<input type="checkbox"/> Request
<input type="checkbox"/> Electric/Gas	<input type="checkbox"/> Agreement	<input type="checkbox"/> Memorandum	<input type="checkbox"/> Request for Certification
<input type="checkbox"/> Electric/Telecommunications	<input type="checkbox"/> Answer	<input type="checkbox"/> Motion	<input type="checkbox"/> Request for Investigation
<input type="checkbox"/> Electric/Water	<input type="checkbox"/> Appellate Review	<input type="checkbox"/> Objection	<input type="checkbox"/> Resale Agreement
<input type="checkbox"/> Electric/Water/Telecom.	<input type="checkbox"/> Application	<input type="checkbox"/> Petition	<input type="checkbox"/> Resale Amendment
<input type="checkbox"/> Electric/Water/Sewer	<input type="checkbox"/> Brief	<input type="checkbox"/> Petition for Reconsideration	<input type="checkbox"/> Reservation Letter
<input type="checkbox"/> Gas	<input type="checkbox"/> Certificate	<input type="checkbox"/> Petition for Rulemaking	<input type="checkbox"/> Response
<input type="checkbox"/> Railroad	<input type="checkbox"/> Comments	<input type="checkbox"/> Petition for Rule to Show Cause	<input type="checkbox"/> Response to Discovery
<input type="checkbox"/> Sewer	<input type="checkbox"/> Complaint	<input checked="" type="checkbox"/> Petition to Intervene	<input type="checkbox"/> Return to Petition
<input type="checkbox"/> Telecommunications	<input type="checkbox"/> Consent Order	<input type="checkbox"/> Petition to Intervene Out of Time	<input type="checkbox"/> Stipulation
<input type="checkbox"/> Transportation	<input type="checkbox"/> Discovery	<input type="checkbox"/> Prefiled Testimony	<input type="checkbox"/> Subpoena
<input type="checkbox"/> Water	<input type="checkbox"/> Exhibit	<input type="checkbox"/> Promotion	<input type="checkbox"/> Tariff
<input type="checkbox"/> Water/Sewer	<input type="checkbox"/> Expedited Consideration	<input type="checkbox"/> Proposed Order	<input type="checkbox"/> Other:
<input type="checkbox"/> Administrative Matter	<input type="checkbox"/> Interconnection Agreement	<input type="checkbox"/> Protest	
<input type="checkbox"/> Other:	<input type="checkbox"/> Interconnection Amendment	<input type="checkbox"/> Publisher's Affidavit	
	<input type="checkbox"/> Late-Filed Exhibit	<input type="checkbox"/> Report	



September 15, 2009

Mr. Charles Terreni
Chief Clerk
Public Service Commission of South Carolina
101 Executive Center Drive
Columbia, SC 29210

RECEIVED
PUBLIC SERVICE
COMMISSION
SEP 16 2009

In Re: South Carolina Electric & Gas Company's Update of Construction Progress and Request for Updates and Revisions to Schedules Related to the Construction of a Nuclear Base Load Generation Facility at Jenkinsville, South Carolina
Docket 2009-293-E

Dear Mr. Terreni:

Enclosed please find for filing and consideration the PETITION TO INTERVENE BY FRIENDS OF THE EARTH in the above referenced matter, together with Certificate of Service, reflecting service upon all parties of record.

I am submitting this intervention in my role as an official representative of Friends of the Earth, with Mr. Bob Guild as the attorney of record in this matter. I thus request that both myself and Mr. Guild be include on the service list in the docket. Mr. Guild's contact information is as follows: 314 Pall Mall Street, Columbia, SC 29210, bguild@mindspring.com.

Sincerely,

Tom Clements

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 2009-293-E

In Re: South Carolina Electric & Gas Company's)
Update of Construction Progress and Request)
for Updates and Revisions to Schedules)
Related to the Construction of a Nuclear Base)
Load Generation Facility at Jenkinsville,)
South Carolina)

**PETITION TO INTERVENE BY
FRIENDS OF THE EARTH**

Friends of the Earth (FOE), on behalf of members who may be impacted in the proceeding now before the Commission, hereby petitions the Commission pursuant to R. 103-825 of the Commission's rules to intervene and be made a party of record in the above-referenced proceeding. In support of this Petition, Friends of the Earth will respectfully show:

1. South Carolina Electric and Gas requests of the Commission updates and revisions related to the construction of new nuclear reactors at its Jenkinsville, South Carolina site. FOE was a party to the docket (Docket 2008-196-E) in which the Commission approved the SCE&G's request to proceed with construction of the AP1000 nuclear units and maintains an interest in all aspects of this matter.
2. FOE, a duly incorporated U.S. non-profit organization, has affiliations in 70 countries and maintains an office in Columbia, South Carolina. FOE comprises the world's largest environmental advocacy network and for 40 years has worked for a cleaner and more economical energy production system in the U.S. Our members, who are SCE&G customers and live near the SCE&G nuclear reactor site in Jenkinsville, have an on-going interest in the cost, schedule and impacts to electricity rates of the new nuclear reactors under consideration. FOE members could well be harmed by any adjustments allowed in the schedule or capital cost of the risky reactor project.
3. FOE is concerned about changes to the SCE&G construction schedule and capital costs schedule and recognizes that the Nuclear Regulatory Commission on August 27, 2009 informed the Westinghouse Electric Company that the AP1000 Design Certification Amendment review schedule was once again impacted and that discussion is underway for yet another revised schedule. Revisions in the NRC's review schedule of the AP1000 design may well impact the schedule put forth by SCE&G in this docket and could result in negative impacts to SCE&G rate payers.
4. FOE is concerned that changes to the construction schedule and capital costs schedule for the risky SCE&G nuclear reactor project could place FOE members and rate payers at greater risk. In a "Special Comment" by Moody's Investor Services of June 2009 the company stated that it viewed "new nuclear generation plans as a "bet the farm" endeavor

for most companies” and further stated that “the sheer size, cost and complexity of new nuclear construction projects will increase a utility’s or power company’s business and operating risk profile, leading to downward rating pressure.” Capital costs of the project are thus impacted by the nature of the risky nuclear project under consideration.

5. FOE is currently further determining our views about the SCE&G request and cannot at this time indicate the amount of time expected for any presentation at the hearing in this matter. We reserve the right to formal questioning of witnesses during the proceeding.
6. Approval of this Petition to Intervene and allowing FOE to be made a party of record is in the public interest. FOE is able to present views and information valuable to the proceeding and in the interest of both our members and the wider public. Our participation will serve to more fully develop the record and improve the resulting decision in this matter and is consistent with the Commission's Rules of Practice and Procedure.

Mr. Bob Guild will serve as the FOE attorney in this docket. We request that both Mr. Guild and myself be added to all service lists. Mr. Guild’s contact information is as follows: 314 Pall Mall Street, Columbia, SC 29201, 803-834-3084, bguild@mindspring.com

WHEREFORE, Petitioner FOE prays for an order granting this Petition; making it a full party of record; and granting such further relief as may be just.



Tom Clements
Friends of the Earth
1112 Florence Street
Columbia, SC 29201
803-834-3084
tomclements329@cs.com
Representative of Friends of the Earth

September 15, 2009

BEFORE
THE PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA
DOCKET NO. 2009-293-E

CERTIFICATE OF SERVICE

Re: South Carolina Electric & Gas Company's Update of Construction Progress and Request for Updates and Revisions to Schedules Related to the Construction of a Nuclear Base Load Generation Facility at Jenkinsville, South Carolina

I hereby certify that the following persons have been served via U.S. Mail with a copy of the Petition to Intervene in Docket 2009-293-E:

Scott Elliott, Esquire
Elliott & Elliott, P.A.
721 Olive Street
Columbia, SC, 29205

Shannon B. Hudson, Counsel
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September 15, 2009



Tom Clements
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